



03500.017601.

PATENT APPLICATION

DEP. Ref  
PATENT MAINTENANCE  
DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 SEP 21 PM 4:13

In re Application of: )  
HIROKI HAYASHI ET AL. ) Examiner: K. Feggins  
Application No.: 10/669,456 ) Group Art Unit: 2861  
Filed: September 25, 2003 )  
For: INK TANK ) September 19, 2005

US PATENT & TRADEMARK  
OFFICE

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicant requests a refund of \$120.00 for a one month extension fee, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On January 10, 2005 (a Monday), Applicants filed an Amendment in response to an Office Action dated October 8, 2004. A copy of the Amendment and return receipt postcards are attached. No extension fees were due at that time.

The Patent Office's Monthly Statement of Deposit Account, dated March 2005 (copy attached), indicates that Deposit Account No. 06-1205 was charged the fee of \$120.00. Therefore, Applicants respectfully submit that a refund of \$120.00 is due.

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Adjustment date: 12/07/2005 SDEH0081  
03/14/2005 TDAWKINS 00000005 061205 10669456  
01 FC:1251 120.00 CR

Accordingly, Applicants hereby request a refund and authorizes the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$120.00, to resolve this matter.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our New York office at the below listed address.

Respectfully submitted,



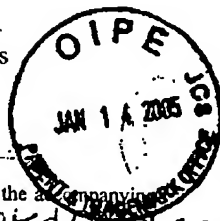
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MONDAY  
Date 1/10/05  
Mo. Day Yr.

Atty. Docket 03500-01760

Application No. 10/664,456

Sir:

Kindly acknowledge receipt of the accompanying

- ☒ Response to Official Action. dated October 8, 2004
- ☒ Check for \$ 180.00 (claims fee) 105 Fee
- ☐ Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_
- ☐ Notice of Appeal and Check for \$ \_\_\_\_\_
- ☒ Information Disclosure Statement, PTO-1449 and ZERO documents
- ☐ Claim for priority and certified copies of \_\_\_\_\_ priority applications
- ☐ Issue fee transmittal and Check for \$ \_\_\_\_\_
- ☐ Other (specify) \_\_\_\_\_

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37 CFR 1.8 ☒  
37 CFR 1.10 ☐  
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**COPY**

In response to the Office Action dated October 8, 2004, please amend the above-identified application, as follows:

:(Date of Deposit)

(Name of Attorney for Applicant)

Monday, January 10, 2005

**Date of Signature**

IN THE CLAIMS:

Please amend Claim 1, as follows:

1. (Currently Amended) An ink tank comprising:

ink holding means capable of impregnating and retaining ink; and

a housing for containing said ink holding means, said housing being provided with an ink supply port for supplying ink impregnated in said ink holding means to the outside and an air inducing port for inducing an atmospheric air into said housing, wherein

said ink holding means comprises a first ink holding member arranged on the inner face of said housing where said ink supply port is open, and a second ink holding member held closely to said first ink holding member, having smaller ink holding power than that of said first ink holding member,

said first ink holding member is substantially the same shape as the shape of the inner face of said housing where said ink supply port is open, and substantially covers the said inner face entirely, and

grooves communicated with said ink supply port on the inner face of said housing where said ink supply port is open.

2. (Original) An ink tank according to Claim 1, wherein said grooves provided on the inner face of said housing where said ink supply port is open are arranged

with gaps from inner faces of walls intersecting with the inner face of said housing where said ink supply port is open.

3. (Original) An ink tank according to Claim 1, wherein said first ink holding member is sheet-like.

4. (Original) An ink tank according to Claim 1, wherein said first ink holding member abuts against an external member to be inserted through said ink supply port when supplying ink to outside so that said first ink holding member is partially compressed.

5. (Original) An ink tank comprising:  
a housing for containing ink holding means capable of impregnating and retaining ink;  
an ink supply port provided in said housing for supplying ink in said housing to the outside, and  
an atmosphere communication port provided for said housing for inducing the atmospheric air into said housing, and  
said ink tank being attachable to and detachable from an external member and ink being supplied to said external member in a state that said ink holding means is in contact with said external member, wherein

said ink holding means comprises a sheet-like first ink holding member capable of being in contact with the external member, and a second ink holding member held closely with said first ink holding member for supplying ink to said first ink holding member, and the ink holding power of said first ink holding member is larger than that of said second ink holding member, and wherein

said first ink holding member is substantially held in a form following the shape of inner face of said housing on a portion where said ink supply port is provided.

6. (Original) An ink tank according to Claim 5, wherein said first and second ink holding members are kept to be deformed by the ink supply tube provided in a holder in a state that said ink tank is mounted on the holder.

7. (Original) An ink tank according to Claim 5, wherein said first ink holding member comprises a laminated body of fibers, and a laminated direction of said laminated body is substantially the same direction as the abutting direction to the external member.

8. (Original) An ink tank according to Claim 7, wherein a main axial direction of the majority of the fibers forming said laminated body follows substantially a longitudinal direction of the plane of said housing where said ink supply port is provided.

### REMARKS

This application has been carefully reviewed in light of the Office Action dated October 8, 2004. Claims 1 to 8 are in the application, of which Claims 1 and 5 are still the only independent. Reconsideration and further examination are respectfully requested.

Turning first to a procedural matter, the Office Action indicates that none of Applicants' priority documents have been received. Actually, certified copies of both of Applicants' priority documents were filed on September 29, 2004. Acknowledgment of receipt of the priority documents is respectfully requested.

Turning to the merits of the Office Action, Claims 1 to 8 were rejected under 35 U.S.C. § 102(b) over European 956,959 (Udagawa). The rejections are respectfully traversed.

With respect to independent Claim 1, the invention concerns an ink tank comprising ink holding means for retaining ink and a housing for containing the ink holding means, wherein the housing is provided with an ink supply port and an air inducing port. According to one feature of the invention, grooves communicating with the ink supply port are provided on the inner face of the housing where the ink supply port is open.

According to this feature of the invention, in which a groove communicating with the ink supply port is provided on the inner face of the housing where the ink supply port is open, greater efficiency is obtained in filling ink into the entire ink tank, as described throughout the specification.



In entering the rejection over Udagawa, the Office Action took the position that Udagawa's grooves 150 (shown in Figures 2A and 9A through 9F thereof) corresponded to the claimed groove. However, as Applicants see it, Udagawa's grooves 150 are not communicated with Udagawa's ink supply port 114 and they are not provided on an inner face of Udagawa's housing where ink supply port 114 is open. Rather, as clearly described at paragraph [0042] of Udagawa, grooves 140 are provided on a partition wall 138 between a chamber 134 (which contains a negative pressure generating member) and chamber 136 which contains ink:

"The negative pressure generating member containing chamber 134 and the liquid containing chamber 136 communicate with each other only through a communicating portion 140 formed in the partition wall 138 near the bottom of the ink tank 100 and an atmosphere introduction path 150 for expediting the introduction of the atmosphere into the liquid containing chamber during the liquid supplying portion."

Accordingly, it is seen that Udagawa's grooves 150 do not correspond to the grooves set out in independent Claim 1, and withdrawal of the rejection under § 102(b) is respectfully requested.

With regard to independent Claim 5, the invention concerns an ink tank comprising a housing that contains ink holding means for retaining ink. The ink holding means comprises a sheet-like first ink holding member contactable to an external member to which ink is supplied, and a second ink holding member closely held with the first ink holding member for supplying ink to the first ink holding member. The ink holding power of the first ink holding member is larger than that of the second ink holding member, and

the first ink holding member is substantially held in a form following the shape of an inner face of the housing on a portion where the ink supply port is provided.

By virtue of the foregoing, in which the first ink holding member is sheet-like and in which it is held in a form following the shape of an inner face of the housing on a portion where the ink supply port is provided, ink existing in the vicinity of the inner face of the housing is supplied more efficiently to the ink supply port, such that it is possible to reduce the amount of unused residual ink that remains in the ink tank prior to being discarded.

In entering the rejection over Udagawa, the Office Action took the position that Udagawa's ink holding member 132B corresponds to the claimed first ink holding member. Applicants would respectfully point out that Udagawa's ink holding member 132B is not sheet-like, as can be confirmed through the dimensions given in Udagawa's paragraph [0086]:

"The amount of crush of the first negative pressure generating member [132B] at this time [i.e., at the time of insertion into the ink tank] is of the order of 0.2 to 1.5 mm when the height of the negative pressure generating member before inserted is 15 mm."

Thus, Udagawa's ink holding member 132B has a height of 15 mm, although it is slightly compressed (on the order of 0.2 to 1.5 mm) as it is inserted into the ink tank.

It is therefore respectfully submitted that Udagawa fails to disclose or to suggest at least the sheet-like first ink holding member of the present invention, and withdrawal of the § 102(b) rejection is therefore respectfully requested.

An Information Disclosure Statement, with fee, accompanies this  
Amendment. Consideration of the art cited therein is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa,  
California office at (714) 540-8700. All correspondence should continue to be directed to  
our below-listed address.

Respectfully submitted,

 **COPY**

Attorney for Applicants  
Michael K. O'Neill  
Registration No.: 32,622

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 State: NY  
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 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
03/01	31	11038276	03550.109245	1203	\$360.00	\$22,428.1 ✓
03/02	2	10167666	03500.016483	1203	\$290.00	\$22,138.1 ✓
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03/11 100	78584601	01938.008486	7001	\$650.00	\$15,648.1	✓
<del>03/14 5</del>	<del>10669456</del>	<del>03500.017601</del>	<del>1251</del>	<del>\$120.00</del>	<del>\$15,528.1</del>	<del>✓</del>
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03/15 1	10360785	03004.010000	1201	\$86.00	\$13,908.1	✓
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03/17 2	08774012	35.G1852	1202	\$36.00	\$9,810.0	✓
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03/18 4	09745480	862.C2078	1201	\$200.00	\$9,392.0	✓
03/18 8	76548852	01938.005128	7402	\$300.00	\$9,092.0	✓
03/18 257	78589573	3024.10818 TJK	7001	\$650.00	\$8,442.0	✓
03/18 258	11081504	00862.002569.1	9204	-\$400.00	\$8,842.0	✓

03/30 167 78164308	/03224.000002.	7004	\$150.00	\$14,241.1 ✓
03/30 1254 78597914	01190.00T110.	7001	\$325.00	\$13,916.1 ✓
03/31 1 09675165	03500.014829	1202	\$50.00	\$13,866.1 ✓
03/31 8 1874785	03134.004750	8504	\$30.00	\$13,836.1 ✓
03/31 8 76547054	00945.002500	7402	\$300.00	\$13,536.1 ✓
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03/31 181 11092639	03500.520712	1201	\$100.00	\$13,896.1 ✓
03/31 522 10529217	00862.023326	1616	\$320.00	\$13,576.1 ✓

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